

BOON'S LICK TIMES.

"ERROR CEASES TO BE DANGEROUS, WHEN REASON IS LEFT FREE TO COMBAT IT."—JEFFERSON.

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THE BOON'S LICK TIMES.

JAMES R. BENSON & CLARK H. GREEN,
Editors & Proprietors.

TERMS.

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WOMAN.

Methinks there is no lovelier sight on earth
Than gentle WOMAN, in her early years;
Before one cloud hath gathered o'er her mirth;
Ere her bright eye grows dim with secret tears!
When life the semblance of a dream doth wear,
And earth is basking in a joyous smile;
When rich delight breathes in the golden air,
And boundless fancies may the heart beguile!

I have bow'd to WOMAN—not as one
Who idly worships at a careless shrine;
Not as the heathen bends unto the sun,
Whose rays gleam round him—eloquent, divine!
Not like a lingerer in Fashion's train,
Who smiles and flatters a believing few;
False in his heart, perchance and cold and vain;
Whose words are false—thoughtless and untrue.

But I am happy when around my way
Those flowers of being ever chance to spring;
'Tis like an hour of dreams, when fairies play,
And gentle wild-birds dance on glittering wing;
Care is a shadow then; and in my heart,
The well springs of deep ecstasy arise;
I feel each sense of loneliness depart;
Like storm-clouds melting from the April skies!

Go, if my prayer might unto Heaven ascend,
'Twould be that WOMAN might be ever blest;
That dower and sun light in her path might blend,
And tranquil visions hush her peaceful rest;
I would that Time might bear upon his wing,
Untroubled brightness for each fleeting day;
And every scene, which hope is picturing,
Grows clearer as existence wears away.

And, as a gift from Heaven, to cheer us here,
I would that WOMAN when life's hour is done,
Might pass, like starlight, when the atoms here
Is colored faintly with the approaching sun;
Passing from earth to a more cloudless scene,
Where brighter gems in purer skies are set;
Where crystal fountains play in pastures green,
Pending, in fancy's spell, with joy in memory yet!

PATENT SERMON.

BY DOW, JR.

The text to my present discourse, may be found in Lord Byron's Don Juan, as follows—

I hate inconsistency—I loathe, detest,
Abhor, condemn, abjure the mortal made
Of such quixotic clay that in his breast
No permanent foundation can be laid.

My hearers—Inconsistency is a cancer, that eats into and preys upon our social pleasures and enjoyments to a most alarming extent. There are but few in the world the bottoms of whose bosoms are covered with such consistent clay that a firm foundation can be laid. The hearts of most mortals are ever changing, like the sky above us—now illuminated by sunshine above, and now darkened by storm-breeding clouds. In the summer of prosperity we find friends gathering around us as thick as flies around a molasses cup; but when blow the autumnal breezes of penury and adversity, they fall like the leaves that flit before the blast and are seen no more. I must say that I detest inconsistency, although, my own compass of candor may sometimes vary a little, in common with the best of us. In traveling through the wilds of wickedness that yet render gloomy a good portion of the world, I wish to have those for companions, who, when I am stuck in the mud of adverse circumstances, are willing and ready to assist me out, rather than throw stones of scorn, or leave me to work out my own salvation with fear and breaches straining. When I am obliged to go down into the swamps of sorrow and gather the cat-tails of contrition, I want some one hard by with whom I can trust a little budget of hope, and in whom I might confide in moments of danger, trial and affliction. Such valuable friends, however, are

as scarce as strawberries in September, while the flimsy, fickle and worthless ones are thicker than fleas in a hog pen.

My friends—there are but few indeed whose heart's foundations are rightly fitted to support and sustain the grand and magnificent temple of friendship. Not when the winds of misfortune begin to blow and the rains of disappointment descend, the quicksands upon which the fabric rests, are washed away—and down goes the noble structure, like a pan of pumpkin sauce from an upper shelf in a pantry. Friendship, to be firm and lasting, must be built upon the everlasting rocks of honor and integrity, and not upon the sands of sordid and selfish motives—else there is no security when the tempests of worldly trouble rage and the billowy waves of want, wash the few shells of happiness that yet remain upon the shores of the heart back into the unfathomable depths of woe. But constancy, my hearers, belongs to love rather than friendship. It has no home in the heart of a common friend; but in the bosom of a true lover it abideth forever. When a young man once gets his heart strings entangled with those of a girl he loves, neither suspicions, slander, circumstances nor situation can untangle them. If it be called friendship, it is friendship flowing from the fount of heaven, filtered through the skies, and purified from the filth of personal favor. It is that kind of friendship which perpetuates peace, harmony and good will among the angels, and profits them from the petty-larcenies of hypocrites and sycophants. Why, my friends, there is as much difference between heavenly love and earth-born friendship, as there is between a sovereign of gold and a brass quarter slightly washed with silver. The one passes current at all times—the other only while its surface is covered, and its baseness concealed.

My friends—Confide not in the constancy of your fellow man. He is a wicked, deceitful, and treacherous creature, and so long as there is money in the world, avarice and ambition are growing within him. Place no faith in his friendship, for it will take wings and fly just at the moment you need it most—no hope in his promises, for to-morrow they are rotten—no dependence upon his charity, for his poverty increases in proportion as his riches accumulate.

In a word, my hearers, if you would not be deceived and disappointed, I advise you not to trust your brother man any longer than a little negro boy can hold a two year old bull by the tail. For my part I hate all men for their inconstancy, and yet their society is rather agreeable than otherwise. I also dislike all women for their fickleness and still I love them because I can't help it. Many a time and oft have they burglariously entered the sanctuary of my heart, and stole therefrom heaps of valuable affection; and then, instead of making a proper use of the precious treasure, they have gone and scattered it to the winds of extravagance and flattery, and as though it were of no more account than a bushel of chaff. But I complain not of this, since I in my younger and more wicked days, have played the same trick with them and to a far greater extent.

My hearers—How much more like Elysium would this vile world appear, were we all as faithful as we pretend to be fond of each other. Were it not for inconsistency the musical harmony of our social relations would never be marred by discordant strife. Then anger, envy, jealousy and revenge, would become obsolete terms in the vocabulary of human nature, then we should all march up on our pilgrimages to heaven linked firmly together by the silken ties of brotherhood, crowned with rosy wreaths of happiness—and then, too, would the mountains of man's miseries be levelled, and his path to the tomb would lead through fragrant fields of peace, where the parental flowers of joy forever blossom.

My worthy friends—If you find that constancy and various other virtues are apt to leak out of your bosoms, just stop the small cracks with the putty of practical piety; and the larger ones you may caulk with the tar and tow of professional Christianity. At any rate, keep your bosoms so well soaked in the water of righteousness that they will securely hold the milk of mercy and philanthropy, and never leave them to crack in the scorching sun of sin. Be firm in friendship—honest in your dealings—ardent in your attachments, consistent in your motives—upright in your characters—and modest in your behavior, and although more or less inconsistent, you are not such terrible monsters as you would be, were you left entirely in the charge of the devil and your own depraved nature. So mote it be!

It is remarked by some writer, that "excess of ceremony shows a want of good breeding." This is most true! Nothing is so loathsome as an overdone beef steak. A truly well bred man makes every one around feel at ease; he does not throw civilities about him with a shovel, nor toss compliments in a bundle, as he would say with a pitchfork. There is no evil under the sun more intolerable than ultra politeness.

MISSOURI LEGISLATURE.

On Monday the 28th ult., Mr. HUDSON of St. Louis, from the select committee of thirteen, to which was referred the matters in relation to an expression of opinion by the Legislature of Missouri, relative to the "Mandamus Act," offered the following preamble and resolutions, which were read and ordered to a second reading.

Preamble and Resolutions, respecting "An Act for the Apportionment of Representatives among the several States according to the sixth census," passed during the second session of the twenty-seventh Congress, and approved June 25th, 1842.

Whereas, It is essential to the preservation of the reserved rights of the States and the freedom of the people, that the General Government should be strictly confined to the exercise of those powers which are clearly delegated to it by the Constitution of the United States, and not permitted to assume control over the action of the State Legislatures upon any subject whatever; and whereas the safety of, and welfare of our common country, and the integrity of the Union demand that both the State and National Governments should be kept within their proper orbits:

Therefore, Resolved by the General Assembly of the State of Missouri, That the right assumed by the Federal Government in the second section of the Apportionment Act, approved June 26, 1842, to order the State Legislatures to divide their respective States into single Congressional Districts, as the sole condition upon which they shall hereafter be entitled to a representation in Congress, is the usurpation of a power not granted by the Constitution, which, if acquiesced in, will reduce the several States to the condition of colonial dependencies upon the General Government, and render their Legislatures the mere registers of its edicts.

Be it further resolved, That it is the duty of the Legislatures of the several States, to prescribe the terms, places and manner of holding elections for Senators and Representatives in Congress—that the Federal Government has no constitutional power to act upon the subject, except in those cases in which a State shall refuse, neglect or be unable to perform the same duty; and that it is hereby declared a violation of the spirit and express object of the fourth section of the third article of the Federal Constitution for the General Government, to dictate conditions upon which the States shall be entitled to a representation in Congress.

Be it further resolved, That in those cases in which it was intended by the framers of the Federal Constitution, that Congress should act upon the subject of elections, it was also the duty of that body to employ federal officers as its agent and not State Legislatures, and that the safety of the Union requires that the General Government should perform all its duties through its own constitutional agents and not delegate its power to the officers of the States who are neither in debt to it for the trust they hold, nor responsible to it for the manner in which they execute that trust.

Be it further resolved, That the State of Missouri hereby asserts the right as a sovereign State, to regulate her own elections in her own way, and that as long as she continues to send representatives to the national council, she cannot acknowledge the right of any power, whatever, to interfere in the matter.

Be it further resolved, That if this General Assembly should either directly or indirectly, do any act that would have the remotest tendency to admit this power on the part of Congress, it would be regarded as a tame submission to the command of Congress, and a degradation to which this General Assembly is unwilling to submit.

Be it further resolved, That a copy of the foregoing preamble and resolutions be sent to our Senators and Representatives in Congress, and to the Governors of the several States, with the request that the same shall be submitted to the Legislatures of their respective States for their due consideration.

Mr. EDWARDS submitted the following as the views of the minority of the committee to whom the subject was referred.

REPORT OF THE MINORITY OF THE SELECT COMMITTEE OF THIRTEEN.

The undersigned, members of the Committee of thirteen, instructed "to report the sense of this House in relation to the late act of Congress, directing the Legislatures of the different States to divide the States into Congressional districts," respectfully submit—That they have considered the subject referred to said committee with an earnest desire to conform their report in some respects, at least, with that of the majority. With this view they have carefully examined their preamble and resolutions. They are ready to concur in the truism contained in said preamble, that "both the state and national governments should be kept within their proper orbits," but are compelled under the solemn sanc-

tion of their oaths, to express their unequalled dissent from the whole of the resolutions reported by the majority. They do not deem it necessary to enter, at present, into any labored exposition of the reasons which have forced this conclusion upon them, and will content themselves with a brief examination of the section of the federal constitution from which it is alleged Congress derives the power to enact the law in question. The language of the constitution is, "The times, places, and manner of holding the elections for Senators and Representatives shall be prescribed in each state by the Legislature thereof, but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators." The grant of power to the federal government, is in the most clear and explicit terms. But it is argued "that this power was intended by the framers of the constitution to be exercised only in the event that the states failed to exercise the power granted to them, or exercised it in such a manner as to defeat the objects and purposes of the constitution."

The language of the Constitution, however, clearly negatives the argument, "that the Congress may at any time make or alter such regulations." Congress may alter what regulations? Most clearly those prescribed by the States! Then Congress may at any time alter the regulations of the States? Congress could not alter the regulations of the States unless such regulations existed; and if such regulations existed, there could hardly be a failure of representation. But if this power was only intended to be exercised by Congress in the event of one or two supposed contingencies, why was it not so expressed? The framers of the Constitution were careful to express one limitation upon the power of Congress, certainly not more important than the two supposed, and can it be believed that they would not have expressed the latter had they been intended?

In reading this section of the Constitution, omit the words "make or," and we have "the times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State, by the Legislature thereof, but the Congress may at any time alter such regulations." And is it possible for language more unequivocally to confer power? Congress may at any time alter such regulations, is the language of the Constitution. But this, it is argued, means that Congress may not at any time alter such regulations; and that, on the contrary, Congress can only exercise such power in the event of one of two supposed contingencies, neither of which is so much as mentioned in the Constitution. The argument may be ingenious, but is not, it is believed, based upon any legitimate rule of construction. A license of construction so unlimited would, in the opinion of the undersigned, lead to the most fearful consequences.

But the language of the law of Congress is characterized as "the language of the superior to the inferior." The Representatives in Congress shall be elected by districts. And this is the objectionable language. Now, what says the Constitution? "The times, places and manner of holding elections for Senators and Representatives in each State shall be prescribed by the Legislature thereof." Is this the language of the superior to the inferior? Then is the language of the law in question the language of the superior to the inferior, and a censorship and is the phraseology of the former less objectionable than that of the latter?

It is also argued, "that in those cases in which it was designated by the framers of the federal Constitution that Congress should act upon the subject of elections, it was also the duty of that body to employ federal officers as its agents." The argument is, that Congress has been guilty of a gross assumption of State rights by the forbearance to exercise to the full extent its constitutional power. In this view of the subject, the assumption of power by the Federal Government consists in confiding too much to the legislation of the States. It is not here contended that Congress has transcended its constitutional powers by declaring that the States shall be divided, but that they have confided the office of a trust of directing to the legislatures themselves. It is, in the opinion of the minority, hardly presumable, that the good people of this State would more readily have acquiesced in the enactment by Congress of a law which might perchance have placed this trust in the hands of persons who entertained political opinions dissimilar to those of the dominant party here.

But Congress may at any time make or alter such regulations. The undersigned submit that in their opinion, the action of Congress in the premises, extends only to alter the existing regulations of the States. Congress has prescribed no new qualification for its members, and has only altered the manner of electing members possessing the requisite qualifications under the federal constitution. The minority are not prepared to appreciate the doctrine, that the forbearance by Congress to exercise a portion of its constitutional powers, is to be regarded as an encroachment upon the rights of the States. If the position, that

the States are not bound to district themselves in conformity with the law of Congress be tenable, then the undersigned would most naturally suppose, that the National Government would be censured for having confided too much to the legislation of the States, and not for having wrested from them their reserved powers. But, paradoxical as it may seem, that part of the law which confides the delicate trust of directing to the States themselves, is the most vehemently denounced, and denounced too as an arrogant assumption of the sovereignty of the States.

The undersigned could not in justice to themselves do less than give this brief analysis of the section of the Federal Constitution under examination. They will however, forbear, to state any other of the various reasons which have forced the same convictions upon them. In conclusion they will remark that in their opinion a time has come which imperatively requires that the election of members to the lower branch of the National Legislature, should be universally by districts. They urge the fearful consequences which would necessarily ensue the universal adoption of the general ticket system. Let the south and west, the slavholding sections of the Union beware in time—for upon them would fall the most fearful evils of that system.

That which was denounced in 1824 as the "tyranny of the general ticket system" can hardly be less than tyrannical now. They are of opinion that Congress was fully competent under the federal Constitution to enact the law under examination, that in exercising their Constitutional power they violated no right of the States, and only carried into effect the sacred trust reposed in the National government.

They are clearly of opinion that said law of Congress is the supreme law of the land, and that all State laws repugnant thereto are null and void. In the language of President Jackson's Proclamation, they "consider the power to annul a law of the United States, assumed by one State, incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great objects for which it was formed."

P. L. EDWARDS
A. W. DAGGETT.

POTATOES AND PROGENY.

Dr. Mackenzie tells with great good humor, an anecdote in the New York Union, which we before heard verbally related. It is all about a certain Lady Middleton, who, contrary to her most anxious wish, was unblest with any children. After an absence of several years with her hedge lord in England, she returned with him to reside for a time on one of their Irish estates.

As the carriage drove up to the mansion, she noticed several fine looking children, about the gate, and having learned that their mother was the wife of the gate porter, she determined to interrogate her, relative to the cause of her fecundity; she, therefore, next day, made her way down to the porter's lodge, and commenced her inquiries—

"Whose children are these, my good woman?"
"All my own, my lady."
"What three infants of the same age?"
"Yes, my lady, I had three the last time."
"How long are you married?"
"Three years your ladyship."
"And how many children have you?"
"Seven, my lady."

At last, came the question of questions—how she came to have children? The poor woman, not well knowing what this catechism meant, and not knowing how to wrap up in delicate words her idea of cause and effect, blushed and grew confused, and at last, for want of something better to say, replied—"I think it must be the potatoes, my lady."

This unfolded a theory of population quite new to Lady Middleton, who eagerly demanded—"The potatoes! Do you eat much of them?"

"Oh, yes, my lady, very seldom we have bread, and take potatoes all the year round."

Greatly agitated with her new information, the lady further asked—"And where do you get the potatoes?"

"We grow them in our little garden, my lady; sure Pat tills it."

"Well," said Lady Middleton, "send me up a cart load of those potatoes, and the steward shall pay you well for them."

Shortly after her ladyship rose to leave the house, and indeed had left it, when the matron ran after her, and, blushing as she put the question, asked—"Ah, then, my lady, is it to have children that you want the load of potatoes?"

It was the lady's turn to blush, as she confessed that it was.

"Because I'm thinkin', my lady, in that case, that Pat had better take the potatoes to you himself!"

A young dandy who supported an enormous moustache, asked a lady what she thought of his looks. "Why," she said, "you look as if you had swallowed a potato and left the tail sticking out of your mouth."